



*"Service with Excellence  
& Integrity"*

## Arkansas Department of Community Correction

Two Union National Plaza Building  
105 West Capitol, 2<sup>nd</sup> Floor  
Little Rock, Arkansas 72201-5731  
(501) 682-9510 Fax: (501) 682-9513

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### **ADMINISTRATIVE DIRECTIVE: 13-12 WEAPONS AND SECURITY EQUIPMENT**

**TO: DEPARTMENT OF COMMUNITY CORRECTION EMPLOYEES**

**FROM: SHEILA SHARP, DIRECTOR**

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**SUPERSEDES: AD 09-13**

**APPROVED: \_\_\_\_\_ Signature on File**

**EFFECTIVE: October 18, 2013**

**I. APPLICABILITY.** This policy applies to Department of Community Correction (DCC) employees.

**II. POLICY.** DCC policy is to prepare certain employees to function effectively across a force continuum by providing training and authorizing an assortment of security equipment and firearms as provided by this policy. In those instances where application of force is necessary to gain control of a situation, alternatives will be available to resolve conflicts with the least amount of force reasonably necessary under the circumstances as perceived by an employee. (3-3088[P])

### **III. DEFINITIONS.**

- A. Certified Armorer or Gunsmith.** Individuals trained and certified to work on the specific firearm model/make.
- B. Chemical Agent.** A chemical deterrent, such as pepper spray or foam, used in self defense or the defense of others.
- C. Duty Weapon.** A firearm issued or assigned to a DCC employee to be carried while the employee pursues his/her job duties.
- D. Internal Affairs (IA) Office.** DCC Office responsible for conducting internal investigations.
- E. Law Enforcement Officer (LEO).** Parole/Probation Officer, Parole/Probation Assistant Manager, Parole/Probation Manager, Parole/Probation Assistant Director, Deputy Director Parole/Probation Services, and others as designated by the Director who have met, or are in the process of meeting, Arkansas law enforcement certification requirements of Specialized Police Personnel.

- F. Restricted.** The authorization to carry or use a duty weapon is limited by a supervisor.
- G. Revoked.** The authorization to carry an issued duty weapon is permanently rescinded.
- H. Security Equipment.** Items (such as leg irons, restraint chairs, stun shields, batons, chemical agent) used to maintain security and the safety of staff, offenders and other individuals.
- I. Suspended.** Authorization to carry a duty weapon is rescinded temporarily or for a specified period of time.
- J. Weapon.** A DCC firearm.
- K. Control Officer.** Authorized officer designated to maintain weapons and/or security equipment.

#### **IV. GENERAL GUIDELINES.**

- A. Issuing Weapons and Security Equipment.** Weapons and security equipment authorized for use in the performance of DCC duties shall be issued in accordance with the Weapons & Security Equipment Authorization Listing (Attachment 1). Any modification to the list requires written approval of the Director. Approved changes require filing with the Chief Deputy Director and the Assistant Director of Administrative Services. The Parole/Probation Manager or Center Supervisor may delegate the task of issuing weapons and security equipment; however supervisors must ensure the employees are eligible to be issued such weapons and/or equipment. Only one firearm shall be issued to and carried by an employee. At a minimum, an annual review of approved weapons, security equipment and eligibility will be made to reassess duty and environmental changes that may suggest need for revisions.
- B. Authorization to Carry Firearm.** To be authorized to carry a firearm, a DCC employee must meet the following prerequisites: (3-3087-1 [P])
  - 1. Employed in one of the following positions: Parole/Probation Officer, Parole/Probation Assistant Manager, Parole/Probation Manager, Parole/Probation Assistant Director, Deputy Directors, or others designated by the Director
  - 2. Free of a felony conviction
  - 3. Free of a misdemeanor conviction of domestic violence
  - 4. Successfully completed the DCC Residential Services or Parole/Probation Services Basic training programs, as appropriate.
  - 5. Completed the initial and refresher weapons training as described in this policy, and
  - 6. Satisfied all other conditional employment requirements except that LEOs have one year from the date of employment to complete law enforcement certification.

**C. Authority.** The authority to carry a DCC issued firearm or security equipment extends to DCC related job activities, otherwise there is no authority to carry or use agency-issued firearms or security equipment. (3-3092)

**D. Carrying DCC Issued Weapons.**

1. Law Enforcement Officer (LEO). A LEO may carry a duty weapon, ammunition, and chemical agent during all hours in which he/she is actively pursuing the obligations and duties of the position for which he/she is employed by the DCC. This does not prohibit a LEO from carrying the weapon when commuting to and from work. Except when wearing Battle Dress Uniforms (BDUs), LEOs shall conceal their firearms in a manner that will not attract attention or be open to the view of the public, inside and outside DCC offices.
2. Residential Center Employees. Residential Center employees authorized to carry security equipment shall carry it only when and where authorized by the Deputy Director of Residential Services in written procedures. Residential Center staff must not carry or use security equipment unless they are both authorized and trained.
3. Additional Carrying Requirements.
  - a. When carrying a firearm, a LEO must also carry a chemical agent. The firearm shall be in an approved holster and the chemical agent in a carrier or belt case.
  - b. A LEO employee shall wear or keep his or her DCC photo identification card on his or her person whenever carrying a firearm.
  - c. A LEO employee shall not carry a firearm while under the influence of any mood altering substance, including prescribed medications that would impair his or her ability to perform the duties of the job.
  - d. A LEO employee shall not carry a firearm when precluded from doing so by the supervisor in accordance with the provisions of this policy, or by law.
  - e. Firearms will at all times be maintained and used in a manner which precludes accidental discharges.

**E. First Aid/Emergency Medical Services.** First aid or emergency medical services must be promptly provided following the injury and/or contamination of an individual by a firearm, chemical agent or security equipment. (4-ACRS-2B-02[P]).

**F. Responsibility to Inform of Inability to Use a Weapon or Security Equipment.** Each employee authorized to carry a duty weapon and/or security equipment shall be responsible for informing his or her supervisor if he/she is not qualified to receive or retain the duty weapon and security equipment and shall not accept or retain custody of an issued weapon when in an unqualified status. (3-3091)

**G. LEO Personnel Actions.** The Parole/Probation Deputy Director shall ensure proper notification to the Commission on Law Enforcement Standards and Training of all LEO personnel actions, in accordance with the Commission on Law Enforcement Standards and Training Manual.

## **H. Training Requirements for Issue and Use of Weapons and Security Equipment.**

1. Firearms Qualification and Security Equipment Requirements. (3-3087 and 3-3089)
  - a. Initial and Refresher Training. Training must include (at minimum) defensive tactics, use of force, use of restraints, safety, weapons handling, retention, constraints, care, and control, and, for firearms only, additional topics on discharging firearms, scenarios in which an employee should shoot or not shoot, arrest, transportation, and related policy. Staff on the emergency response team, transportation team, and others required to use a weapon and/or security equipment, must also be trained on the use of force and the authorized security equipment. The effective use of a chemical agent is an essential function. Initial training on chemical agents will require contamination while being video-taped (no exceptions).
  - b. Initial Firearms Qualification. An employee who is authorized to carry a firearm must qualify with the DCC firearm during the firearms training session(s) at the academy and subsequently as required in this policy.
  - c. Firearms Requalification. Authorized employees must re-qualify at least semiannually. Requalification training will be conducted by a certified firearms instructor and will include use of force and scenarios in which an employee should shoot or not shoot. Attempts to requalify with a firearm may be made no sooner than six months following the anniversary date of the previous qualification. Should an authorized employee fail to requalify, each subsequent attempt shall be preceded by appropriate remedial training conducted by a certified firearms instructor.
  - d. Failure to Qualify or Requalify. An employee authorized to carry a firearm who fails to qualify or requalify with his/her duty weapon within the time period allowed, no longer meets the essential functions of his/her position and must be removed from that position.
2. Discharge of Firearms and Chemical Agents. Discharge of a firearm for DCC training and practice purposes shall be conducted under the direction of a certified firearms instructor and shall conform to established safety. Chemical agent training which includes discharging active chemical agent canisters shall be conducted at locations approved by the supervisor, instructor or CTS to be safe for this purpose.
3. Unauthorized Persons, Weapons and Security Equipment. Training staff and instructors shall disallow weapons, ammunition and security equipment which do not comply with this directive. They should also disallow any one not authorized by this policy to be present on the firing range during qualification, requalification or practice.
4. Prior LEO Certification. A new employee with current LEO certification in accordance with Commission standards must also complete a psychological examination by a psychologist/psychiatrist chosen by the DCC and/or a physical examination, if not conducted within the past five years. Although this prior certification may be current, a new employee shall practice and qualify with his or her DCC firearm on an approved course of fire, and successfully complete required DCC training. Proof of certification must be provided to the supervisor and CTS.

## **I. Security and Control of Weapons and Equipment**

1. Parole/Probation Managers and Residential Center Supervisors are primarily responsible for weapons accountability and security.
2. Employees are responsible for the weapons and security equipment issued to them.
3. Managers and Supervisors may designate a firearms certified Control Officer to manage weapons and security equipment.
4. All weapons and security equipment shall be retained in designated areas inaccessible to offenders and other unauthorized persons, protected from the weather, and secured from loss or theft.
5. When not being worn, authorized firearms, ammunition and other security equipment will be secured in an armory, in a locked vehicle trunk or inside a building in a locked container (located in an inconspicuous place, preferably in a locked cabinet or storage room). The storage container will be constructed of material of sufficient strength to serve as a substantial barrier to unauthorized entry. The container should be solidly connected to a structure suitable to discourage removal.
6. The process for signing firearms and security equipment in and out must include the employee's name, weapon serial number (where there is one), and ammunition type and quantity. Form 1, "Authorization and Receipt for Weapon and Security Equipment," or a bound book with pre-numbered pages must be used for this purpose and kept for a minimum of 3 years after the final entry. Annotations may be made to indicate transfer of active records from one permanent log book that has been filled to a new one.
7. A LEO may leave an authorized duty weapon in an office overnight only if it is in a secured and approved container. A LEO may take the duty weapon home, provided that the weapon is carried on his/her person or secured in the automobile trunk while commuting, and is stored and secured from loss, theft, or unauthorized persons.
8. Unassigned protective vests must be returned to the Assistant Director for Administrative Services at the Central Office for reissue.
9. The Manager or Supervisor must develop and provide written supplemental guidance, approved by the appropriate Deputy Director, to include at minimum
  - a. Procedures for issuing weapons and security equipment to the emergency response and transportation teams, as appropriate
  - b. Key control
  - c. Access control
  - d. Inventories are conducted by the Control Officer with a second person who is either a "disinterested" person or the Manager or Supervisor.
  - e. Safety and Security procedures

10. Firearms are not permitted in a residential center unless otherwise authorized in written policy issued by the Director except in the case of emergencies which would warrant such. Residential centers must have a secured lock box outside the Center for visiting law enforcement officers to temporarily deposit their firearms. (4-ACRS-2A-10)

**J. Chemical Agent Specifications.** Chemical agents must be non-flammable and meet EPA standards.

**K. Certified Dogs and Handlers.** Certified dogs and handlers may be used for drug detection at residential centers when approved by the Director.

**L. Concealed Handgun Permit.** A firearm permitted under the Concealed Handgun Act is not approved for carry or use when on duty as a DCC employee.

**M. Retired Law Enforcement Officer ID.** LEOs retiring from DCC and State government service may request a "Retired Law Enforcement Officer" identification badge. The written request must be supported by a copy of the official retirement documentation and submitted to the Director for approval consideration.

**N. Protective Vests.** Protective vests shall be worn when making home visits, serving warrants (unless serving a warrant in the office or at a jail), transporting offenders, firing weapons on the range, accompanying law enforcement on investigations or operations, when required to assist in apprehending an escapee, when carrying a firearm, and at the LEO's discretion.

## **V. PROCEDURES.**

**A. Annual Review and Assessment.** An annual review of approved weapons, security equipment, and eligibility must be conducted to determine whether duties and policy revisions are required. This review is to be conducted by the appropriate Deputy Director as part of the annual policy review.

**B. Draw and Display of Firearms.** Employees authorized to carry firearms may draw or display firearms in accordance with this policy and the Use of Force Administrative Directive and for storage.

**C. Incidents Involving Weapons or Security Equipment.** Incidents involving weapons or other security equipment will be managed and reported in accordance with the Administrative Directive on Reporting and Investigating Incidents and Hazards, Use of Force, and Drug-Free Workplace.

**D. Chemical Agent.** Employees authorized to carry chemical agents must adhere to the following:

1. Carry the chemical agent in the approved pouch.
2. Do not brandish or use a chemical agent as an intimidating device unless attempting to prevent further escalation of force.
3. Use only the amount of chemical agent necessary to achieve control of a person and discontinue the use when the person can safely be taken into custody.

4. Take necessary steps to provide relief from the effects of the chemical.
5. If possible, avoid use of a chemical agent when it may affect innocent bystanders or other employees.
6. Advise persons of chemical agent use to prevent the contamination of other offenders or staff, and
7. Chemical agents may be drawn, displayed, or used within the parameters addressed in the Use of Force policy.

#### **E. Disposition, Loss, Damage, and Disposal of Firearms or Security Equipment**

1. **Disposition of Firearms.** All issued firearms and security equipment remains the property of the DCC and shall be surrendered immediately upon order of the appropriate supervisor, or higher DCC authority. An employee who voluntarily or involuntarily leaves DCC employment shall immediately surrender his/her assigned weapon and equipment to his/her supervisor, with one exception. The Director may, with the recommendation from the employee's supervisor, award a Parole/Probation Officer his/her weapon upon retirement pursuant to law.
2. **Lost or Stolen Weapons.** If any issued weapon or security equipment is lost or stolen and it is determined by the appropriate supervisor, administrator or Center Supervisor that such loss was caused by carelessness or negligence, the employee will reimburse the DCC within 30 days for replacement cost, unless an alternative payment schedule is approved. The circumstances surrounding the loss or theft may result in disciplinary action, up to and including employment termination. Refer to the policy on Reporting and Investigating Incidents and Hazards for reporting stolen or lost weapons.
3. **Damaged Firearm.** A damaged or faulty DCC firearm shall be reported to the immediate supervisor, the firearms instructor if detected during training or firearms qualification, and the Control Officer as soon as detected. Firearms in need of repair will be referred to a certified armorer or gunsmith through regular purchasing procedures.
4. **Disposal of Firearms.** Following the appropriate deputy director's written approval, a firearm for which DCC has no use shall be disposed of through the Administrative Services Division's Purchasing Unit, according to State regulations governing property disposal. Contraband firearms will not be disposed of, but, upon receipt of written approval of the appropriate Deputy or Assistant Director, will be transferred to the local or State law enforcement entity of the jurisdiction in which the contraband was seized.
5. **Damaged/Used Chemical Agent Turn-In and Disposal.** Turn in damaged or used chemical agents to the supervisor or Control Officer who should discard the damaged or used canister in the trash and annotate supply/inventory records as appropriate.

## **F. Firearm Privileges. (3-3090)**

1. Decision to Suspend, Revoke, or Restrict.
  - a. A supervisor must act to suspend, restrict, or revoke authorization to carry a duty weapon when reasonable cause exists. When the authority to carry a firearm has been restricted, suspended, or revoked, the employee is also restricted from performing duties that might require the use of a firearm. The Manager or Supervisor must complete the appropriate section of the Authorization and Receipt for Weapons & Security Equipment Form and forward it to the Parole/Probation Assistant Director or Deputy Director of Residential Services, as appropriate.
  - b. Some of the factors which may be considered in deciding to restrict, suspend or revoke the carrying and use of a firearm are as follows:
    - (1) job performance
    - (2) participation in a substance abuse or psychiatric treatment program
    - (3) carelessness, horseplay, negligence, misuse, or other inappropriate conduct in the handling of weapons and equipment
    - (4) incident(s) involving the discharge of duty weapon
    - (5) action is determined to be in the best interest of public safety and efficient operation of the DCC
    - (6) employee use of mood altering medications, and
    - (7) when warranted pending completion of an investigation.

## **G. Firearm Safety, Maintenance, and Inspection.**

1. All unassigned firearms and security equipment not used in the line of duty will be inspected and maintained at least annually by a LEO or other authorized staff member designated by the supervisor. An issued duty weapon is subject to inspection at any time by certified firearms instructors.
2. Only certified armorers and gunsmiths shall make or cause to be made modifications or repairs to DCC firearms.
3. Each authorized employee is responsible for cleaning, maintaining, and inspecting his/her issued duty weapons and equipment.
4. A firearm that has been fired in connection with an incident may not be cleaned without a release from the Internal Affairs Administrator and approval of the appropriate Deputy Director.



5. Employees shall adhere to standard safety instructions provided by DCC training processes. Weapons will at all times be maintained and used in a manner which precludes accidental discharges. Irresponsible acts such as horseplay or practical jokes involving a weapon are prohibited.

**H. Reporting Firearms Qualified Staff.** The Supervisor must maintain a current list of Emergency Response Team members and firearms-qualified Transportation Team members and forward a copy to the appropriate Deputy Director semiannually after requalification training is completed and any time a team member is dropped or a new team member becomes qualified. The report will include the employee's name and date of firearms qualification.

**VI. REFERENCES.** Ark. Code Ann. §§ 5-2-605 et seq, 5-64-501, 5-73-103 through 105, 12-29-115, and 16-93-103.

**VII. ATTACHMENTS.**

Attachment 1 Weapons and Security Equipment Authorization Listing  
AD 13-12 Form 1 Authorization & Receipt for Weapons & Security Equipment

## WEAPONS & SECURITY EQUIPMENT AUTHORIZATION LISTING

ITEM	PAROLE/PROBATION SERVICES		RESIDENTIAL SERVICES	
	Deputy Director, Assistant Director, Manager, Assistant Manager, Supervision Officers, and others as designated by the Director	Community Service Work Program Advisors	Staff Designated to Carry Security Equipment	
			<b>CCC</b>	<b>OTVC</b>
<b>Stun Shields</b>	—	—	<b>X</b>	<b>TT, ERT</b>
<b>Batons</b>	—	—	—	<b>TT, ERT</b>
<b>Riot Helmets</b>	—	—	<b>X</b>	<b>TT, ERT</b>
<b>DCC-issued Handgun &amp; Ammunition</b>	<b>X</b>	—	—	—
<b>DCC-issued or approved Holster, cartridge, case &amp; clip</b>	<b>X</b>	—	—	—
<b>Chemical Agent &amp; carrier</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Secure Office Containers</b>	<b>X</b>	—	<b>X</b>	<b>X</b>
<b>Leg Irons &amp; Belly Chains (pool)</b>	<b>X</b>	—	<b>X</b>	<b>X</b>
<b>Handcuff &amp; case</b>	<b>X</b>	—	<b>X</b>	<b>X</b>
<b>Flexcuffs (pool)</b>	<b>X</b>	—	<b>X</b>	<b>X</b>
<b>Protective (bulletproof) vests</b>	<b>X</b>	—	—	—
<b>Communications</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Vehicle Firearm Container</b>	<b>X</b>	—	—	—
<b>Video Camera</b>	—	—	<b>X</b>	<b>X</b>

CCC = Community Correction Center      OTVC = Omega Technical Violators Center

Pool= Equipment is available in the office for sharing

TT = Transportation Team

ERT = Emergency Response Team

Law Enforcement Officers may purchase their own holster if it maintains the security of the firearm and is approved by the P/P Assistant Director.

## AD 13-12 Form 1